



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2022-1444; Airspace Docket No. 22-AWP-74]

RIN 2120-AA66

#### Establishment of Class E Airspace; Williams, AZ

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Williams, AZ. This action supports the establishment of new public instrument procedures.

**DATES:** Effective 0901 UTC, October 5, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](https://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

**SUPPLEMENTARY INFORMATION:**

## **Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace extending upward from 700 feet above the surface at H.A. Clark Memorial Field, Williams, AZ, to support instrument flight rule operations at this airport.

## **History**

The FAA published an NPRM for Docket No. FAA-2022-1444 in the *Federal Register* (87 FR 74048; December 2, 2022) proposing to establish Class E airspace at Williams, AZ. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received.

Mr. Wally Roberts commented that he believes the proposed Class E airspace to be excessive when compared to other Class E airspace in the area, which are usually a five to seven mile radius similar to Valle Airport north of Clark Memorial Field. The following response is provided.

FAA Order JO 7400.2N, Procedures for Handling Airspace Matters, requires that rising terrain be taken into consideration when evaluating airspace requirements. Clark Memorial Field is surrounded by rising terrain (e.g., the peaks at 7,644 feet to the south; 7,725 feet to the north; 9,256 to the south; and 9,389 to the northeast) that must be taken into consideration and additional transitional airspace provided to allow aircraft climb above the terrain while remaining in the transitional airspace. Accordingly, the FAA proposed a radius for Clark Memorial Field that is larger than other airports that do not have significant rising terrain, including Valle

Airport.

## **Incorporation by Reference**

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

## **The Rule**

This amendment to 14 CFR part 71 establishes Class E airspace extending upward from 700 feet above the surface within a 20-mile radius of H.A. Clark Memorial Field, Williams, AZ.

## **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental

Impacts: Policies and Procedures,” paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

## **Lists of Subjects in 14 CFR 71**

Airspace, Incorporation by reference, Navigation (air).

## **The Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71 – DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

\* \* \* \* \*

#### **AWP AZ E5 Williams, AZ [Establish]**

H.A. Clark Memorial Field, AZ

(Lat 35°18'20"N, long 112°11'40"W)

That airspace extending upward from 700 feet above the surface within a 20-mile radius of H.A. Clark Memorial Field.

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Issued in Fort Worth, Texas, on June 12, 2023.

Martin A. Skinner,

Acting Manager, Operations Support Group,  
ATO Central Service Center.

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